

Application No.: 10/624,381
Restriction Requirement of: August 9, 2004

MAT-8439US

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No: 10/624,381
Applicant: Yoshito NAKANISHI, et al.
Filed: July 22, 2003
Title: SWITCH
TC/A.U.: 2832
Examiner: Bernard Rojas
Confirmation: 6834
Docket No.: MAT-8439US

RESPONSE TO ELECTION REQUIREMENT

Mail Stop Amendment

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Election Requirement dated **August 9, 2004**, Applicants elect for further prosecution the claims corresponding to Embodiment 1, Figures 1-4. At present, Applicants believe that claims 1-6, 9-11, 13-17 and 22-23 cover the elected species.

This election is made with traverse because claim 1 is generic to Embodiments 1-5. This is because all of Embodiments 1-5 relate to switches under construction of three beams or electrodes. Only Embodiment 6 relates to switches of two electrodes. Accordingly, Applicants contend that the election requirement should have required Applicants to elect either Figures 1-12 or Figures 13-15. Withdrawal of the present election requirement is respectfully requested.

Respectfully submitted,

Lawrence E. Ashery, Reg. No. 34,515
Attorney for Applicants

LEA/fp

Dated: September 7, 2004

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/624,381
	Filing Date	July 22, 2003
	First Named Inventor	Yoshito NAKANISHI, et al.
	Art Unit	2832
	Examiner Name	Bernard Rojas
Total Number of Pages in This Submission: 2	Attorney Docket No.	MAT-8439US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures: (please identify below): return postcard Response to Restriction Requirement
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT		
Firm or Individual	Lawrence E. Ashery	Registration No. (Attorney/Agent)
Signature		
Date	September 7, 2004	

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Signature		Date	September 7, 2004

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